REMARKS

In the Office Action, claims 1-14, 17 and 22 were rejected and claims 15, 16, 18-21, 23 and 24 were objected to by the Examiner. More specifically:

- Claims 1-14 and 17 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,140,262 (Cortez);

- Claim 22 was rejected under 35 U.S.C. § 103(a) as describing unpatentable over Cortez in view of U.S. Patent Application Publication No. 2001/0017845 (Bauer); and

- Claims 15, 16, 18-21, 23 and 24 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3 and 15-24 have been amended to correct typographical errors. No new matter has been added as a result of these amendments. Upon entry of these amendments, claims 1-24 will remain pending. For the reasons set forth below, Applicants request that the above-listed rejections and objections be withdrawn.

Claims 1-8

Applicants submit that independent claim 1 is not anticipated by Cortez because Cortez fails to disclose each and every element of claim 1. *See* MPEP §2131 (stating that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in the single prior art reference). More particularly, Applicants submit that Cortez fails to disclose, among other things, the following limitations recited in claim 1:

- "receiving information corresponding to a first network event that may affect a path for one or more packets traveling **in a multi-area routing domain**, wherein the path is associated with a destination address;" and

- "maintaining a set of current candidate exit points **out of a first area in the domain**, wherein the candidate exit points are associated with the destination address."

Cortez teaches a data network having links that have a service weight and a restoration weight used to determine optimal primary and backup data paths through the network. *See* Cortez at Abstract. Service weights are used to determine the shortest possible path between two nodes in the network. *See id.* at 4:13-19. Restoration weights are used to determine the path having the maximum available capacity between two nodes in the network. *See id.* at 4:19-26.

Claim 1 requires "receiving information corresponding to a first network event that may affect a path for one or more packets traveling **in a multi-area routing domain,** wherein the path is associated with a destination address." A multi-area routing domain requires more than one area. Cortez does not discuss, disclose or suggest a multi-area routing domain. Indeed, Cortez does not discuss the concept of an area within a domain or any other area at all. For at least this reason, Cortez does not teach or disclose "receiving information corresponding to a first network event that may affect a path for one or more packets traveling in a multi-area routing domain, wherein the path is associated with a destination address," as required by claim 1.

Claim 1 further requires "maintaining a set of current candidate exit points **out of a first area in the domain,** wherein the candidate exit points are associated with the destination address." The Office states, "After the detection of failure in the shortest path, the controller nodes quickly identify the path it needs to restore. The node controller will send a restoration weighting signal in a link 22 for establishing a restoration path to the destination. The restoration path contains a set of alternative or candidate nodes." Office Action at 3. Applicants respectfully assert that the set of alternative or candidate nodes described by the Office is not equivalent to a set of current candidate exit points out of a first area in a domain. As stated above, Cortez does not teach areas within a routing domain. Accordingly, Cortez cannot teach a set of candidate exit points out of an area. Moreover, the set of candidate nodes described by the Office comprise nodes along a single restoration path. In contrast, the set of candidate exit points represent nodes used in a plurality of paths. For at least these reasons, Cortez does not teach or disclose "maintaining a set of current candidate exit points out of a first area in the domain, wherein the candidate exit points are associated with the destination address," as required by claim 1.

As such, Applicants submit that claim 1 is allowable over the Examiner-cited prior art. *See* MPEP §2131. Because claims 2-8 depend from and incorporate all of the limitations of claim 1, claims 2-8 are likewise allowable over the Examiner-cited prior art. Accordingly, Applicants request that the §102(e) rejections associated with claims 1-8 be withdrawn.

Claims 9-24

Applicants submit that independent claim 9 is not anticipated by Cortez because Cortez fails to disclose each and every element of claim 9. *See* MPEP §2131 (stating that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in the single prior art reference). More particularly, Applicants submit that Cortez fails to disclose, among other things, the following limitations recited in claim 9:

- "receiving information corresponding to a first network event that may affect a path for one or more packets traveling **in a multi-area routing domain**;"

- "maintaining a set of current candidate **exit points for the path out of a first area**;"

- "determining whether the first network event is a shortest path event or an exit point event;" and

- "if the first network event is an exit point event, **determining whether a set of taken exit points associated with the path has changed in response to the event**."

For substantially the same reasons stated above in reference to claim 1, Applicants submit that Cortez does not teach the receiving and maintaining limitations of claim 9.

In addition, Cortez does not teach determining whether the first network event is a shortest path event or an exit point event or determining whether a set of taken exit points associated with the path has changed in response to the event. Cortez merely discusses link failures and making provision for a new circuit at the direction of a network administrator as possible events. *See* Cortez at 4:54-67. As such, Cortez cannot make a determination as to whether an event is an exit point event, because such events are not considered by Cortez. Moreover, Cortez does not determine whether a set of taken exit points associated with a path has changed in response to the event if an exit point event occurs, as required by claim 9.

As such, Applicants submit that claim 9 is allowable over the Examiner-cited prior art for at least the aforementioned reasons. *See* MPEP §2131. Because claims 10-24 depend from and incorporate all of the limitations of claim 9, claims 10-24 are likewise allowable over the Examiner-cited prior art. Accordingly, Applicants request that the rejections and objections associated with claims 9-24 be withdrawn.
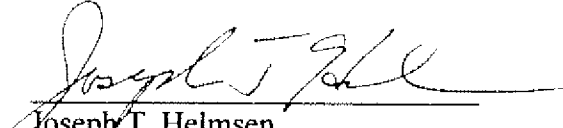
All of the stated grounds of rejection have been properly traversed and accommodated. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. There being no other rejections, Applicants respectfully request that the current application be allowed and passed to issue.

If the Examiner believes for any reason that personal communication will expedite prosecution of this application, I invite the Examiner to telephone me directly.

<u>AUTHORIZATION</u>

The Commissioner is hereby authorized to charge any additional fees which may be required for this Amendment and Response, or credit any overpayment, to deposit account no. 50-0436.

Respectfully submitted,
PEPPER HAMILTON LLP

Joseph T. Helmsen
Reg. No. 54,163

Pepper Hamilton LLP
One Mellon Center, 50th Floor
500 Grant Street
Pittsburgh, PA 15219
Telephone: 412.454.5000
Facsimile: 412.281.0717
Date: October 26, 2007